Hanford Site Forms

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D. Internet Address

E. Required Information

1. Is document potentially Classified? (●) No ( ) Yes (MANDATORY)

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If Yes _____ ( ) No ( ) Yes Classified

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2. References in the Information are Applied Technology (●) No ( ) Yes

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5. Release Level? (●) Public ( ) Limited

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K. If Additional Comments, Please Attach Separate Sheet

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Guidance on Post Remediation Institutional Controls (IC) Language

Prepared for the U.S. Department of Energy
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Approved for Public Release;
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DRAFT
GUIDANCE ON POST REMEDIATION INSTITUTIONAL CONTROLS (IC) LANGUAGE

1.0 PURPOSE AND SCOPE

The DOE/RL-2004- 56, *Site Wide Institutional Controls Annual Assessment Report for Hanford CERCLA Response Actions,* identified inconsistent use of Institutional Control (IC) language and/or terms used in Hanford site decision and supporting documentation for *Comprehensive Environmental Response, Compensation, and Liability Act of 1980* (CERCLA) response actions. This document was developed to standardize the IC language and/or terms used at the Hanford Site. The language and/or terms used in this document are not intended as legal or environmental regulatory requirements, nor are they intended to be inconsistent with them. They are meant to be used only as language and/or terms for purposes of identifying and/or addressing ICs.

IC language and/or terms used in Hanford site decision and supporting documentation for CERCLA response actions may be found in, but are not limited to: CERCLA Records-of-Decisions (RODS), Remedial Design Reports/Remedial Action Work Plans, and supporting documentation. This document is intended to be used for "post-remediation" purposes.

2.O RECOMMENDED POST-REMEDIATION INSTITUTIONAL CONTROL LANGUAGE AND/OR TERMS

The following language should be used, as appropriate, for describing and identifying ICs where contaminants may remain on site after remediation is complete. This language should be included in associated CERCLA documents and supporting closure documentation used at the Hanford Site. In addition, the restrictions should be documented and tracked in a system such as Waste Information Data System (WIDS). In certain instances, modification of the suggested language may be necessary to address site-specific circumstances. It may also be necessary to use a combination of the recommended IC language; e.g., in situations where the land surface has been remediated to support unrestricted land uses but underlying soil and/or groundwater contamination remains.

IC language and/or terms used in Hanford site decision and supporting documentation for CERCLA response actions may be found in, but are not limited to: CERCLA Records-of-Decisions (RODS), Remedial Design Reports/Remedial Action Work Plans, and supporting documentation. This document is intended to be used for "post-remediation" purposes.

CERCLA decision documents (e.g., RODs or Action Memoranda) identifying possible use of ICs shall include the following statement: "If ICs are required at the completion of remediation, IC language in accordance with the *Guidance on Post Remediation Institutional Controls (IC) Language* shall be entered into reclassification forms and recorded into the tracking mechanism."

2.1. UNLIMITED USE AND UNRESTRICTED EXPOSURE ALLOWED IN THE SHALLOW ZONE

IC language for reclassification forms and supporting documentation:

- Remedial actions were performed so as to allow rural-residential (unrestricted) use of shallow zone soils [i.e., surface to 4.6 meters {m} (15 feet {ft} deep], and to protect groundwater and the Columbia River. The site does not have deep zone contamination; therefore, no deep zone institutional controls are required. The basis for reclassification is described in detail in the supporting closeout documentation.

IC language to be recorded in tracking mechanism:

- No institutional controls are required for this site.

2.1.1 Contaminants Remaining in the Deep Zone Soil; Unlimited Use and Unrestricted Exposure Allowed in the Shallow Zone Soil

IC language for reclassification forms and supporting documentation:

- CERCLA hazardous substances/contamination in shallow zone soils, i.e., surface to 4.6m (15 ft) deep, have been remediated to levels that could support unrestricted surface land uses and to protect the environment. However, the closeout documentation does not demonstrate the acceptability of unrestricted access to deep zone soils [i.e., below 4.6 m (15 ft)]; therefore, institutional controls to prevent uncontrolled drilling or excavation into deep zone soils are required.

IC language to be recorded in tracking mechanism:

- Institutional controls to prevent uncontrolled drilling or excavation into deep zone soils [below 4.6 m (15 ft)] are required.

2.1.2 Contaminants Remaining in the Soil above Groundwater Protection Cleanup Levels

IC language for reclassification forms and supporting documentation:

- Remedial actions were performed so as to allow industrial or recreational use of shallow zone soils [i.e., surface to 4.6 m (15 ft) deep]. Residual soil contamination below 15 feet in depth exceeds groundwater or Columbia River protection levels in an irrigation scenario. The basis for reclassification is described in detail in the CERCLA and closeout documentation. Institutional controls prohibiting irrigation are required.

IC language to be recorded in tracking mechanism:

- Residual soil contamination levels exceed groundwater or Columbia River protection standards; irrigation prohibited.
- Control water runoff onto and away from the site.

2.1.3 Sites Remediated to Industrial or Industrial Exclusive Land Use

IC language for reclassification forms and supporting closeout documentation:

- The closeout documentation demonstrates that contamination was remediated to levels supportive of industrial (or industrial exclusive as applicable) land uses; therefore, institutional controls limiting land use to industrial (or industrial exclusive) are required. Institutional controls preventing uncontrolled drilling or excavating are also required.

IC language to be recorded in tracking mechanism:

- Site restricted to industrial (or industrial exclusive as applicable) land use. Uncontrolled drilling or excavating also prohibited.

2.1.4 Sites within Industrial or Industrial Exclusive Land Use Area Remediated to Meet Unrestricted Land Use Cleanup Levels

IC language for reclassification forms and supporting documentation:

- Contamination was remediated to levels supportive of unrestricted land use. Consequently, institutional controls are not required at the site (There could be ICs associated with adjacent sites that could restrict the use of this site.).
- The basis for reclassification is described in detail in CERCLA and the supporting closeout documentation.

IC language to be recorded in tracking mechanism:

- Site meets cleanup standards for unrestricted land use; no institutional controls required. (There could be ICs associated with adjacent sites that could restrict the use of this site.)

2.1.5 Source Term Operable Units with Contaminated Groundwater

IC language for reclassification forms and supporting documentation:

- Contaminants still exist in the groundwater above cleanup levels. Consequently, institutional controls are needed for controlling the use of the groundwater.

IC language to be recorded in tracking mechanism:

- The groundwater use is controlled except for monitoring and treatment, as approved by [U.S. Environmental Protection Agency (EPA) or Washington State Department of Ecology (Ecology), as appropriate].

2.1.6 Contaminants Remaining in the Soil or in Structures under a Barrier

IC language for reclassification forms and supporting documentation:

- In accordance with the ROD and associated RD/RA Work Plan (identify the ROD document and associated RD/RA Work Plan), a barrier was installed to cover contaminants. Consequently, institutional controls are needed to control access to the waste site and prevention of activities that could interfere with barrier performance. The institutional controls must also be recorded on the deed to the facility if required by a regulation.

IC language to be used in the tracking mechanism:

- Restrict human and biota access to the waste site.

- The waste site shall be posted with appropriate warning signs.

- No excavation or any other intrusive activities on the waste site is allowed without approval from (EPA or Ecology, as appropriate).

- Record the ICs on the deed to the facility property or any other instrument that would normally be examined during a title search [if there is a deed recording regulatory requirement, e.g., 40 Code of Federal Regulations (CFR) 61.154 for asbestos landfill].